



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON BUDGET

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### Voting Members:

Joey Manahan, Chair  
Brandon J.C. Elefante, Vice Chair  
Ron Menor  
Kymberly Marcos Pine  
Tommy Waters

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## AGENDA

REGULAR MEETING  
CITY COUNCIL CHAMBER  
WEDNESDAY, NOVEMBER 13, 2019  
9:00 A.M.

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 9:00 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3827 your name, phone number and the agenda item;
- c. By filling out a registration form in person; or
- d. By calling 768-3818.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to a **one-minute** presentation.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, will be available to the public on the City Council's pilot website: [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) as well as the City's legacy DocuShare Website.

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### MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("*board packet*" §92-7.5, HRS) are available for public inspection at the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.).

Accommodations are available upon request to persons with disabilities, please call 768-3818 or send an email to [gmurayama@honolulu.gov](mailto:gmurayama@honolulu.gov) at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) and [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

## FOR ACTION

1. **BILL 44 (2019) – SHARED MICROMOBILITY VEHICLES.** Authorizing the City to reserve parking stalls and other areas for a fee for the deployment and parking of shared micromobility vehicles fleets, and setting the conditions and requirements for these permits. (Bill passed second reading and public hearing held 9/4/19; Committee amended to CD1 and postponed action 10/21/19)

CD1 TO BILL 44 (2019) (Submitted by Councilmember Manahan) (Approved by the Committee at its October 21, 2019 meeting) – The CD1 (OCS2019-1020/9/27/2019 2:14 PM) makes the following amendments:

- A. In SECTION 1, revises the purpose clause to add "by permit" and to change "vehicles" to the singular.
- B. In SECTION 2, revises new ROH Section 15-\_\_\_\_.3(a) to list conditions for the director's issuance of an SMV parking permit, including unspecified limits on the total number of reserved SMV parking permits and number of SMV parking permits per street block and, to add authority for the director to implement a lottery system under certain circumstances.
- C. In SECTION 2, revises new ROH Section 15-\_\_\_\_3 to remove the following language from subsection (a) and place it in a new subsection (g):  
  
"(g) Subject to the approval of the director, an operator may mark or indicate the area covered by the SMV parking permit using paint, signage, or decals to guide the operator's SMV users to authorized parking areas."
- D. In SECTION 2, revises new ROH Section 15-\_\_\_\_.4:
  1. At subsection (f) to clarify that annual renewal of registration does not apply to SMVs that are no longer deployed;
  2. At subsection (g), to add the phrase "and safe to operate"; and
  3. To delete subsection (k) and redesignate the subsequent subsection.

- E. In SECTION 2, revises new ROH Section 15-\_\_\_\_.5(b) to remove the last sentence which had read as follows:

"When the director or designee, or department employee or agent, or police officer removes or causes to remove an SMV, the department will notify the operator and will assess a fine of \$50.00 per SMV to be paid prior to the city's release of the vehicle."

- F. In SECTION 2, revises new ROH Section 15-\_\_\_\_.6 by amending the language of subsection (d) and by adding a new subsection (e), to read as follows:

"(d) Data submitted by an operator to the department pursuant to this section may be subject to public disclosure, and the department may publish such data, except data identifying individual users or their private information. The department may use and analyze the data it receives from each operator.

(e) An operator need not submit the data required by this section to the department if the director determines the data is proprietary, in which event, the operator must make the data available for the director's inspection in lieu of submitting the data to the city."

- G. In SECTION 2, revises new ROH Section 15-\_\_\_\_.7(a) to add the words "and renewal" in the beginning phrase of the subsection.

- H. In SECTION 2, revises new ROH Section 15-\_\_\_\_7(c) to read as follows:

(c) SMV parking permit fee. The annual fee per SMV parking permit per designated stall shall be as follows:

- (1) For a stall designated in a parking meter zone, a fee equal to the corresponding shared mobility annual rental rate, as set forth in Section 15-22.4;
- (2) For a stall designated in an unmetered area, a fee equal to the annualized daily charge for each parking space or unmetered parking stall, exclusive of Sundays and state holidays, as set forth in Section 15-22.8;

- (3) For a stall designated in an off-street parking facility or in an attendant parking facility, a fee equal to the corresponding shared mobility annual rental rate, as set forth in Section 15-23.2A; and
- (4) For a portion of property controlled by the city that is not covered by subdivisions (1) - (3), a fee in an amount to be determined by the director.

I. In SECTION 2, adds a new ROH Section 15-\_\_\_\_.8, to read as follows:

**"Sec. 15-\_\_\_\_.8 Removal of unpermitted SMVs.**

It is unlawful for an SMV business to park or deploy SMVs on any city property, including streets and sidewalks, without a valid SMV parking permit. When an SMV owned by an unpermitted SMV business is parked on city property and is found to be available for rent to the public, the city is authorized to remove and store the SMV. "

J. In SECTION 2, rennumbers new ROH Section 15-\_\_\_\_.8 to Section 15-\_\_\_\_.9, (and rennumbers subsequent sections), which reads as follows:

**"Sec. 15-\_\_\_\_.9 Administrative enforcement.**

Enforcement of this article shall be done pursuant to the traffic code as set forth in Articles 4 and 26. If any operator is found to be in violation of its SMV parking permit, this chapter, or other applicable laws, the department may immediately suspend or revoke the operator permit, and refuse to issue subsequent SMV parking permits to that SMV business."

K. In SECTION 2, adds a new ROH Section 15-\_\_\_\_.10 (and rennumbers subsequent sections), to read as follows:

**"Sec. 15-\_\_\_\_.10 Fine--Costs.**

When an SMV is removed by the director or designee, a department employee or agent, or police officer pursuant to this article, the department will assess a fine \$\_\_\_\_\_ per SMV to be paid by the operator to the city prior to the city's release of the SMV. In addition, the director may require an SMV business to reimburse any costs the city, department, or any other city agency or office incurs to address or abate the noncompliance with this article."

- L. Adds a new SECTION 3 to amend ROH Section 15-13.9(a) to add a new circumstance in which HPD or CSD may remove and store vehicles, to read as follows:  
  
    "~~(24)~~ When a shared micromobility vehicle is parked on city property in violation of Article \_\_\_\_\_."
  - M. Renumbers prior SECTION 3 as "SECTION 4", and renumbers subsequent SECTIONS accordingly.
  - N. In new SECTION 4:
    - 1. Amends Section 28-3.3 relating to exceptions to the normal requirement that City concessions be bid out to update references to the "finance director" with references to the "director of budget and fiscal services."
    - 2. Revises subsection 28-3.3 to add a new exception in subdivision (j) to read as follows:  
  
        "(j) Parking Stalls for Shared Micromobility Vehicles. Concessions or concession spaces, including parking stalls, set aside for shared micromobility vehicle businesses."
  - O. Makes miscellaneous technical and nonsubstantive amendments.
- 2. **BILL 56 (2019) – RELATING TO BUS PASSES.** Authorizing the Department of Transportation Services to establish a pilot program for free bus passes for high school students on Oahu to attend off-campus or after-school programs. (Bill passed first reading 11/6/19)
  - 3. **RESOLUTION 19-274 – TRANSFER OF FUNDS (DTS).** Authorizing the transfer of \$100,000 from the Provision for Grants, Partnerships and Security to the Department of Transportation (DTS) Transportation Planning Division as a 20 percent local match for an 80 percent federally funded project. (Transmitted by Communication [D-714](#))

[PROPOSED CD1 TO RESOLUTION 19-274](#) (Submitted by Councilmember Manahan) – The CD1 (OCS2019-1200/11/7/2019 9:56 AM) makes the following amendments:

- A. Adds a specific reference to Council Communication 306 (2019) to the 7th WHEREAS clause.
  - B. Revises the total project cost for the Transportation Demand Management Plan to \$535,000, of which \$428,000 is the federal cost share and \$107,000 is the required local cost share in the 8th WHEREAS clause to match Exhibit 3.
  - C. Revises the amount in the 9th WHEREAS clause to be transferred from the Provision for Grants, Partnerships, and Security activity to the Department of Transportation Services, Transportation Planning activity to meet the local match grant program needs of the DTS to \$107,000 to match Exhibit 3.
  - D. Revises the amount in the BE IT RESOLVED clause to be transferred from the Provision for Grants, Partnerships, and Security activity (current expenses) to the Department of Transportation Services Transportation Planning activity (current expenses) to \$107,000 to match Exhibit 3.
  - E. Makes changes to comport with current drafting conventions.
  - F. Makes miscellaneous technical and nonsubstantive amendments.
- 4. [RESOLUTION 19-290](#) – **AUDIT OF THE CITY'S RELATIONSHIP WITH BIKESHARE HAWAII.** Requesting the City Auditor to conduct an audit of the City and County of Honolulu's relationship with Bikeshare Hawaii.
  - 5. [RESOLUTION 19-269](#) – **COLLECTIVE BARGAINING COST ITEMS FOR BARGAINING UNIT 13.** Approving the collective bargaining cost items for the Bargaining Unit 13 included, excluded and excluded managerial employees of the City and County of Honolulu. (Transmitted by Communication [MM-125](#))
  - 6. [RESOLUTION 19-281](#) – **COLLECTIVE BARGAINING COST ITEMS FOR BARGAINING UNIT 2.** Approving the collective bargaining cost items for the Bargaining Unit 2 employees of the City and County of Honolulu. (Transmitted by Communication [MM-130](#))

7. **RESOLUTION 19-285 – GENERAL OBLIGATION BONDS.** Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$25,000,000 principal amount of General Obligation Bonds of the City and County of Honolulu to finance the amount appropriated in Ordinance No. 19-14 for the purpose of financing capital costs of the Honolulu Rail Transit Project. (Transmitted by Communication [D-737](#))
8. **RESOLUTION 19-286 – FIRST AMENDED AND RESTATED AGREEMENT WITH HART REGARDING GENERAL OBLIGATION BONDS.** Authorizing the Director of the Department of Budget and Fiscal Services or the Director's designee to enter into a First Amended and Restated Agreement with the Honolulu Authority for Rapid Transportation (HART) regarding the General Obligation Bonds of the City and County of Honolulu for the purpose of financing capital costs of the Honolulu Rail Transit Project (City Subsidy). (Transmitted by Communication [D-738](#))
9. **BILL 55 (2019), CD1 – REAL PROPERTY TAXATION.** Creating a real property tax classification for properties used for bed and breakfast home purposes and clarifying the classification of transient vacation units. (Bill passed second reading and public hearing held 11/6/19)

**PROPOSED CD2 TO BILL 55 (2019), CD1** (Submitted by Councilmember Menor)  
– The CD2 (OCS2019-1199/11/7/2019 8:38 AM) makes the following amendments:

A. In SECTION 2 of the bill:

1. Revises Section 8-7.1(h) to:

- a. Specify that for purposes of that subsection, "transient vacation unit" has the same meaning as defined in ROH Section 21-10.1, the definition section of the Land Use Ordinance; and
- b. Retain, rather than repeal, language in the current ROH stating that real property operating as a transient vacation unit under a valid nonconforming use certificate will continue to be classified based on its underlying zoning.

2. Revises Section 8-7.1(j) to state that real property operating as a bed and breakfast home under a valid nonconforming use certificate will be classified based on its underlying zoning.
  - B. Makes miscellaneous technical and nonsubstantive amendments.
10. **RESOLUTION 19-294 – AMENDMENT TO THE TWENTY-FOURTH (24th) YEAR ACTION PLAN.** Approving an amendment to the City and County of Honolulu's Twenty-Fourth (24th) Year Action Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) Program Funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD). (Transmitted by Communication [752](#))
  11. **RESOLUTION 19-297 – AMENDMENT TO THE TWENTY-THIRD (23rd) YEAR ACTION PLAN.** Approving an amendment to the City and County of Honolulu's Twenty-Third (23rd) Year Action Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) Program Funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD). (Transmitted by Communication [D-755](#))
  12. **RESOLUTION 19-298 – AMENDMENT TO THE TWENTY-FIFTH (25th) YEAR ACTION PLAN.** Approving an amendment to the City and County of Honolulu's Twenty-Fifth (25th) Year Action Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) Program Funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD). (Transmitted by Communication [D-756](#))
  13. **RESOLUTION 19-299 – AMENDMENT TO THE TWENTY-FOURTH (24th) YEAR ACTION PLAN.** Approving an amendment to the City and County of Honolulu's Twenty-Fourth (24th) Year Action Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) Program Funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD). (Transmitted by Communication [D-757](#))



14. **RESOLUTION 19-300 – AMENDMENT TO THE TWENTY-THIRD (23rd) YEAR ACTION PLAN.** Approving an amendment to the City and County of Honolulu's Twenty-Third (23rd) Year Action Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) Program Funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD). (Transmitted by Communication [D-758](#))
15. **RESOLUTION 19-301 – ASSIGNMENT AND EXTENSION OF A LEASE WITH PAUAAHI RHF PARTNERS, LP.** Authorizing the assignment and extension of a lease of the City property known as Pauahi Kupuna Hale located at 167 N. Pauahi Street, Honolulu, Oahu, and identified as Tax Map Key No. (1) 1-7-003: 038 to Pauahi RHF Partners, LP. (Transmitted by Communication [D-759](#))
16. **RESOLUTION 19-302 – LEASE OF CITY PROPERTY TO ALEA BRIDGE.** Authorizing the lease of City property located at 66-528 Haleiwa Road, Haleiwa, Hawaii 96712, and identified as Tax Map Key No. (1) 6-6-013-001, to ALEA Bridge, in partnership with RYSE and ASI, at a nominal rent of \$1,200 per year for a term of ten years. (Transmitted by Communication [D-760](#))
17. **RESOLUTION 19-303 – LEASE OF CITY PROPERTY TO ALTERNATIVE STRUCTURES INTERNATIONAL.** Authorizing the lease of City property located at 1531 D & E Kewalo Street, Honolulu, Hawaii 96822, and identified as Tax Map Key No. (1) 2-4-021-043 to ASI, in partnership with ALEA Bridge and RYSE, at a nominal rent of \$1,200 per year for a period of five years. (Transmitted by Communication [D-761](#))

JOEY MANAHAN, Chair  
Committee on Budget